

Gary M. Nath (DC, NJ)  
Harold L. Novick (DC, MD)  
Todd L. Juneau (DC, IL)

Kevin A. Lavine (DC), Retired  
Donald M. Sandler (MD), Retired\*

Patent, Trademark and Copyright Causes  
Unfair Competition, Trade Secrets,  
Licensing and Litigation

\*Practice limited to Matters and Proceedings  
before Federal Courts and Agencies; not Admitted  
in DC

# NATH & ASSOCIATES PLLC

Attorneys at Law  
1030 Fifteenth Street, N.W.  
Sixth Floor  
Washington, D.C. 20005-1503

TELEPHONE (202) 775-8383  
(202) 775-9393

FACSIMILE (202) 775-8396  
(202) 822-9409

E-Mail: ip@nathlaw.com  
Web: www.nathlaw.com

Michelle L. Hartland (VA)\*  
Lee C. Heiman (CA)\*  
Jerald L. Meyer (VA)\*  
Marvin C. Berkowitz (GA)\*  
Tanya E. Harkins (MD)\*  
Joshua B. Goldberg (VA)\*  
Nahied K. Usman (VA)\*  
Todd W. Kunz (IL)\*  
Joseph K. Hemby, Jr. (MD)\*  
Alvin E. Tanenholtz \*\*  
Roger C. Hahn\*\*

\*\* Registered Patent Agent: not Admitted in DC

8/KB  
10/16/01

RECEIVED

OCT 16 2001

TC 1700

## REQUEST FOR

## CONTINUED EXAMINATION (RCE)

## TRANSMITTAL

Commissioner of Patents  
Box AF  
Washington, D.C. 20231

Application No. 09/402,362  
Filing Date: October 4, 1999  
Title: **FOOD GRADE WAX AND PROCESS FOR PREPARING SAME**  
Inventors: Marjorie Gan VALIX  
Group Art Unit: 1761  
Examiner: R. Madsen  
Atty Docket No.: 23999

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application and Provisional Application Practice, Final Rule 65 Fed. Reg. 50092 9Aug. 16, 2000; Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off.Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

10/12/2001 TGEDAHU1 00000043 09402362

02 FC:179

740.00 DP

1. Submission required under 37 C.F.F. § 1.114

- a. \_\_\_ Previously submitted  
i. \_\_\_ Consider the amendments(s)/reply under 37 C.F.R.S 1.116 previously filed on \_\_\_\_\_.  
ii. \_\_\_ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.  
i. \_\_\_ Other \_\_\_\_\_.
- b. X Enclosed  
i. X Amendment/Reply  
ii. \_\_\_ Affidavit(s)/Declaration(s)  
iii. \_\_\_ Information Disclosure Statement(IDS)  
iv. \_\_\_ Other \_\_\_\_\_.

## 2. Miscellaneous

- Miscellaneous
- a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required**)
- b. \_\_\_\_\_ Other \_\_\_\_\_.

### 3. Fees

3. Fees

(The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)

\_\_\_\_\_ authorized to charge the following

14-0112

- fees
- the RCE fee under 37 C.F.R. § 1.17(e) is required by
- a. X The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Acct. No. 14-0112.
- i. X RCE fee of \$ 740.00 required under 37 C.F.R. § 1.17 (e) is enclosed.
- ii. \_\_\_\_\_ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. \_\_\_\_\_ Other \_\_\_\_\_
- \_\_\_\_\_ fully submitted,

Respectfully submitted,  
NATH & ASSOCIATES PLLC

Gary M. Math  
Registration No. 26,965  
Jerald L. Meyer  
Registration No. 41,194  
Customer No. 20529

Date: October 11, 2001  
NATH & ASSOCIATES PLLC  
1030 15<sup>TH</sup> Street NW - 6<sup>th</sup> Floor  
Washington, D.C. 20005  
GMN/JLM/dd (RCE)

RECEIVED

OCT 16 2001

TC 1700

Box AF

Attorney Docket No. 23999



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of

Marjorie Gan VALIX

Art Unit: 1761

Serial No.: 09/402,362

Examiner: R. Madsen

Filed: October 4, 1999

For: **FOOD GRADE WAX AND PROCESS FOR PREPARING SAME**

QB/KB  
10/16/01

RESPONSE AND AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the final Office Action dated April 11, 2001. The three-month shortened statutory period was set to expire on July 11, 2001; accordingly a petition for a three-month extension, a Request for Continued Examination and checks for the same are being filed herewith, extending the period for response to October 11, 2001.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all pending claims are now in condition for allowance. In response to the Office Action, please amend the above-identified patent application as follows:

IN THE CLAIMS

Please ~~cancel~~ claim 1 without prejudice or disclaimer to the subject matter contained therein.

Please ~~amend~~ claims 2 and 17 and add newly submitted claim 18 as per attached with this response. Attachment A contains a marked-up copy of the claim amendments, and Attachment B contains a clean copy of the amended claims.